

WASHINGTON, DC –“ Congressman Joe Courtney (D-CT), U.S. Senators John Kerry (D-MA) and Olympia J. Snowe (R-ME) and Congressman Tom Latham (R-IA) today introduced legislation to fix an arbitrary Medicare policy that excludes coverage of skilled nursing care. Under current Medicare policy, a beneficiary must have an “inpatient” hospital stay of at least three days for Medicare to cover skilled nursing care. Patients who receive hospital care on “observation status” do not qualify for this benefit, even if their hospital stay lasts longer than three days.

The Improving Access to Medicare Coverage Act would allow for the time patients spend in the hospital under “observation status” to count toward the requisite three-day hospital stay for coverage of skilled nursing care.

“This commonsense change will ensure that seniors no longer face thousands of dollars in bills for skilled care because of an arbitrary federal policy,” **said Congressman Courtney**. “There are no two ways about it: three days in the hospital are three days in the hospital. Anyone who meets that threshold should receive the same benefit from Medicare.”

“When senior citizens get sick they need to know that they’ll get the care they need. The last thing they should have to worry about is a billing technicality that could saddle them with outrageous out of pocket costs,” **Senator Kerry said**. “This bill will eliminate an unnecessary financial hardship on Medicare beneficiaries that can stand in the way of the skilled nursing care they need. I look forward to working with Senator Snowe and Congressman Courtney to bring some peace of mind to patients and their families.”

“When patients should be focusing on their recovery, far too many are caught off-guard by this ambiguous policy,” **said Senator Snowe**. “This bipartisan legislation provides much needed clarity and will ensure that patients receive the full coverage they deserve.”

“Congress needs to immediately address this unintended loophole in Medicare coverage that can cost seniors thousands in unexpected medical bills,” **Congressman Latham said**. “I have always supported measures to make sure that Medicare benefits provide seniors with affordable access to the highest quality health care available, and I am proud to work in bipartisan way with my House and Senate colleagues to resolve this oversight in Medicare policy.”

The bipartisan bill is endorsed by AARP, the American Medical Association, American Health Care Association, the Center for Medicare Advocacy, American Medical Directors Association, LeadingAge and the National Committee to Preserve Social Security and Medicare.

The legislation would:

- Amend Medicare law to count a beneficiary’s time spent in the hospital on “observation status” towards the three-day hospital stay requirement for skilled nursing care;

- Establish a 90-day appeal period following passage for those that have a qualifying

hospital stay and have been denied skilled nursing care after January 1, 2011.

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